

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America)

v.)

Abel Cervantes Campos,)

a.k.a.: Abel Cervantes-Campos,)

a.k.a.: Able Cervantes,)

(A201 022 134))

Defendant

Case No.

17-7467 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 1, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Abel Cervantes Campos, an alien, was found in the United States of America at or near Glendale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about November 5, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

CEB

REVIEWED BY: Charles E. Bailey, P.S. for SAUSA Brett Day

☒ Continued on the attached sheet.

Complainant's signature

Steven T. Case,
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: September 11, 2017

Judge's signature

City and state: Phoenix, Arizona

Bridget S. Bade,
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE


I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 1, 2017, Abel Cervantes Campos was booked into the Glendale City Jail (GCJ) facility by the Glendale Police Department on local charges. While in custody at the GCJ, a biometric lead was received by Phoenix ICE Secure Communities Unit Officer B. Placencia, who determined Cervantes Campos to be a citizen of Mexico, unlawfully present in the United States. On the same date, an immigration detainer was lodged with the city jail. Cervantes Campos was transferred to the Maricopa County Jail (MCJ) on an outstanding warrant. On September 8, 2017, Cervantes Campos was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Cervantes Campos was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Abel Cervantes Campos to be a citizen of Mexico and a previously deported criminal alien. Cervantes Campos was removed from the United States to Mexico at or near Nogales, Arizona, on or about November

5, 2016, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Cervantes Campos in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Cervantes Campos' immigration history was matched to him by electronic fingerprint comparison.


4. Criminal history checks revealed that Abel Cervantes Campos was convicted of Re-Entry of Removed Alien, a felony offense, on August 15, 2016, in the United States District Court, District of Arizona. Cervantes Campos was sentenced to seven (7) months' imprisonment and three (3) years' supervised release. Cervantes Campos' criminal history was matched to him by electronic fingerprint comparison.
5. On September 8, 2017, Abel Cervantes Campos was advised of his constitutional rights. Cervantes Campos freely and willingly acknowledged his rights and agreed to provide a statement under oath. Cervantes Campos stated that his true and complete name is Abel Cervantes Campos, and that he is a citizen of Mexico. Cervantes Campos stated that he illegally entered the United States "2 semanas 8-20-17," by walking through Nogales, Sonora. Cervantes Campos further stated that he had been removed from the United States to Mexico on three (3) previous occasions.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 1, 2017, Abel Cervantes Campos, an alien, was found in the United States of America at or near Glendale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

at or near Nogales, Arizona, on or about November 5, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Steven T. Case,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 11th day of September, 2017.



Bridget S. Bade,
United States Magistrate Judge